

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

NASIR COOPER,

Plaintiff,

-against-

NEW YORK CITY DEPARTMENT OF
CORRECTIONS,

Defendant.

19-CV-10218 (CM)

ORDER OF DISMISSAL

COLLEEN McMAHON, Chief United States District Judge:

By order dated November 5, 2019, the Court directed Plaintiff to either pay the \$400.00 in fees that are required to file a civil action in this court or submit a completed request to proceed *in forma pauperis* (“IFP application”) within thirty days. On December 4, 2019, the order was returned to the Court with a notation on the envelope indicating that it was being returned to sender. Plaintiff has not complied with the Court’s order, has failed to notify the Court of a change of mailing address, and has not initiated any further contact with the Court. Accordingly, Plaintiff’s complaint, filed *in forma pauperis* pursuant to 28 U.S.C. § 1915(a)(1), is dismissed without prejudice. *See* 28 U.S.C. §§ 1914, 1915.

The Clerk of Court is directed to mail a copy of this order to Plaintiff and note service on the docket. The Court certifies under 28 U.S.C. § 1915(a)(3) that any appeal from this order would not be taken in good faith, and therefore IFP status is denied for the purpose of an appeal. *Cf. Coppedge v. United States*, 369 U.S. 438, 444–45 (1962) (holding that an appellant demonstrates good faith when he seeks review of a nonfrivolous issue).

Dated: December 5, 2019
New York, New York



COLLEEN McMAHON
Chief United States District Judge